

Agricultural Marketing Service, USDA

§ 927.22

within the production area for preparation for market.

[61 FR 17554, Apr. 22, 1996]

§ 927.9 Fiscal period.

Fiscal period means the period beginning July 1 of any year and ending June 30 of the following year or such annual beginning and ending dates as may be approved by the Secretary pursuant to recommendations by the Control Committee.

[51 FR 30626, Aug. 28, 1986]

§ 927.10 Production area.

Production area means and includes the States of Oregon and Washington.

[62 FR 61002, Nov. 14, 1997]

§ 927.11 District.

District means the applicable one of the following-described subdivisions of the area covered by the provisions of this subpart:

(a) *Medford District* shall include the counties of Jackson, Josephine, Curry, Coos, Douglas, Lane, and Klamath in the State of Oregon.

(b) *Hood River-White Salmon-Underwood District* shall include all of the State of Oregon not included in the Medford District, and the counties of Skamania and Klickitat in the State of Washington.

(c) *Wenatchee District* shall include the counties of Chelan, Okanogan, Douglas, and Spokane in the State of Washington.

(d) *Yakima District* shall include all of the State of Washington, not included in the Wenatchee District or in the Hood River-White Salmon-Underwood District.

[15 FR 6071, Sept. 9, 1950. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 51 FR 30626, Aug. 28, 1986; 62 FR 61002, Nov. 14, 1997]

§ 927.12 Export market.

Export market means any destination which is not within the 50 states, or the District of Columbia, of the United States.

[61 FR 17554, Apr. 22, 1996]

§ 927.13 Subvariety.

Subvariety means and includes any mutation, sport, or other derivation of

any of the varieties covered in § 927.4 which is recognized by the Control Committee and approved by the Secretary. Recognition of a subvariety by the Control Committee shall include classification within a varietal group for the purposes of votes conducted under § 927.52.

[51 FR 30626, Aug. 28, 1986]

CONTROL COMMITTEE

§ 927.20 Establishment and membership.

A Control Committee, consisting of 12 individual persons as its members, is hereby established to administer the terms and provisions of this subpart as specifically provided in §§ 927.20 through 927.35. There shall be two alternates, designated as the "first alternate" and the "second alternate," respectively, for each member of the committee. Six members of the Control Committee and their respective alternates shall be growers of pears, and six members and their respective alternates shall be handlers of pears. Each district shall be represented on the Control Committee by one grower member and one handler member except that the Hood River-White Salmon-Underwood District and the Wenatchee District shall be represented on the committee by two grower members and two handler members.

[51 FR 30626, Aug. 28, 1986, as amended at 62 FR 61002, Nov. 14, 1997]

§ 927.21 Nomination and selection of members and their respective alternates.

The grower members and their respective alternates for each district shall be selected by the Secretary from nominees elected by the growers in such district, and the handler members and their respective alternates for each district shall be selected by the Secretary from nominees elected by the handlers in such district.

§ 927.22 Meetings for election of nominees.

Nominations for members of the Control Committee and their alternates shall be made at meetings of growers

§ 927.23

and handlers held in each of the districts designated in § 927.11 at such times and places as the Control Committee shall designate. At each of such meetings the growers or handlers eligible to participate therein shall select a chairman and a secretary of that meeting. In the election of nominees, each grower and each handler shall be entitled to vote in accordance with the provisions of § 927.23. The chairman of the meeting shall announce at the meeting the name of each person for whom votes have been cast, whether as a member or as an alternate for a member, and the number of votes cast for each such person; and the chairman or the secretary of such meeting shall forthwith transmit such information to the Secretary or his designated representative.

§ 927.23 Voting.

Only growers in attendance at meetings for election of nominees shall participate in the nomination of grower members and their alternates, and only handlers in attendance at meetings for election of nominees shall participate in the nomination of handler members and their alternates. A grower may participate only in the election held in the district in which he produces pears, and a handler may participate only in the election held in the district or districts in which he handles pears. No person may vote both as a handler and as a grower. Each grower and each handler shall be entitled to cast one vote, on behalf of himself, his agents, partners, affiliates, subsidiaries, and representatives, for each nominee to be elected.

§ 927.24 Eligibility for membership.

Each grower member and each of his alternates shall be a grower who grows pears in the district in which and for which he is nominated and selected. Each handler member and each of his alternates shall be a handler, or an officer or employee of a handler, handling pears in the district in and for which he is nominated and selected.

§ 927.25 Failure to nominate.

In the event nominations are not made pursuant to §§ 927.21 and 927.22 on or before June 1 of any year, the Sec-

7 CFR Ch. IX (1-1-05 Edition)

retary may select members and alternates for members without regard to nominations.

§ 927.26 Qualifications.

Any person prior to or within 15 days after selection as a member or as an alternate for a member of the Control Committee shall qualify by filing with the Secretary a written acceptance of the person's willingness to serve.

[51 FR 30626, Aug. 28, 1986]

§ 927.27 Term of office.

The term of office of each member and alternate member of the Control Committee shall be for two years beginning July 1 and ending June 30: *Provided*, That the terms of office of one-half the initial members and alternates shall end June 30, 1988; and that beginning with the 1987-88 fiscal periods, no member shall serve more than three consecutive two-year terms unless specifically exempted by the Secretary. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified. The terms of office of successor members and alternates shall be so determined that one-half of the total committee membership ends each June 30.

[51 FR 30627, Aug. 28, 1986]

§ 927.28 Alternates for members of the Control Committee.

The first alternate for a member shall act in the place and stead of the member for whom he or she is an alternate during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his or her first alternate shall act as a member until a successor for the member is selected and has qualified. The second alternate for a member shall serve in the place and stead of the member for whom he or she is an alternate whenever both the member and his or her first alternate are unable to serve. In the event that both a member of the Control Committee and that member's alternates are unable to attend a Control Committee meeting, the